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ANT

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/025,133 02/17/98 FUKUNAGA

K 862.2136

005514 LM01/0413
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EXAMINER

FLAMIN, A	
ART UNIT	PAPER NUMBER

JD

2782
DATE MAILED:

04/13/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/025,133

Applicant(s)

Fukunaga et al

Examiner

Abdelmoniem Elamlh

Group Art Unit

2782

☒ Responsive to communication(s) filed on Jan 31, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1, 2, 4-13, 15-18, 20-23, 25-37, and 39-51 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 4-13, 15-18, 20-23, 25-37, and 39-51 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

1. This response to amendment filed on 01/31/00 (paper #9).
2. Claims 1,2, 4-13, 15-18, 20-23, 25-37 & 39-51 remain for examination.
3. Applicant's arguments with respect to claims 1,2, 4-13, 15-18, 20-23, 25-37 & 39-51 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,2, 4-13, 15-18, 20-23, 25-37 & 39-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merkley et al, US. Pat. 5,535,334 in view of Moskowitz et al, US. Pat. 5,249,220.
6. As to claims 1, 4, 12, 15, 17, 20, 22 & 50, Merkley discloses a data transmission method for a host and target devices, said comprises the steps of :

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performing bi-directional communication between said host and target devices [see Title, Abstract, Figs 1 & 2, col. 17, lines 59-67]; and

setting a data transfer method to be performed [col. 1, lines 65-67, col. 2, lines 1-6, col. 18, lines 11-13] from a plurality of data transfer methods [Fig. 1, col. 3, lines 10, 11, 28-67], *however*, Merkley does not explicitly teach the data transfer method is selectively set by the host device in accordance with a data transfer method set in the target device.

Moskowitz teaches a transmitter determines the communication protocol required by the receiver and then varies its communication protocol according to the communication protocol used by the receiver [see col. 7, lines 45-68].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Merkley and Moskowitz, because this would allow the host to communicate with a number of targets having different data communication types [see col. 1, lines 67,68 & col. 2, lines 1, 2]

7. As to claim 2, 13, 18 & 23, having the data transfer methods further include a PULL model... and an isochronous model which uses an isochronous transfer, is believed to fall within the scope of Merkley¹.

¹ See Merkley col. 3, lines 63-67 & col. 6, lines 7-16.

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8. As to claims 5 & 6 , it is a matter of design choice to have the serial being a bus based on IEEE 1394 or universal bus standards.

9. As to claims 7, 10, 11 & 16, having the host provides image data is believed to fall within the scope of Merkley.

10. As to claims 8 & 21, having the target device to form a visible image, based on the image data, on a print medium, is well known in the art.

11. As to claim 9, Merkley teaches the target device stores the data into storage medium [col. 18, lines 64,65].

12. As to claim 25, 36, 41, 46 & 51 Merkley teaches transferring a procedure signal for the transfer of data to said host and target devices [col. 9, lines 27-67, col. 10, lines 1-13, col. 20, lines 34-65].

13. As to claims 26, 37, 42 & 47, Merkley teaches a PUSH buffer model I n which the host device writes data into the target device [col. 18, lines 64,65] and a PULL buffer model in which said target device reads data from said host device [col. 3, lines 40-44].

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14. As to claims 27, 28, 39, 43, 44, 48 & 49 Merkley teaches the host device sets the data transfer method corresponding to the target device, based on the procedure signal [col. 9, lines 27-67, col. 10, lines 1-13, col. 20, lines 34-65].

15. As to claims 29 & 30, it is a matter of design choice to have the serial being a bus based on IEEE 1394 or universal bus standards.

16. As to claims 31, 34, 35 & 40, transmitting image data to the target device is believed to fall within the scope of Merkley.

17. As to claims 32 & 45, having the target device to form a visible image, based on the image data, on a print medium, is well known in the art.

18. As to claim 33, Merkley teaches the target device stores the data into storage medium [col. 18, lines 64,65].

Conclusion


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Abdelmoniem I. Elamin

April 8, 2000



THOMAS C. LEE
SUPERVISORY PATENT EXAMINER
GROUP 2700